GOVERNMENT OF INDIA
RAILWAYS
LOK SABHA

UNSTARRED QUESTION NO:383
ANSWERED ON:01.03.2007
PENDING COMPENSATION CLAIMS BEFORE RCT
Bhargav Shri Girdhari Lal;Maheshwari Smt. Kiran

Will the Minister of RAILWAYS be pleased to state:

:

(a) the number of cases relating to accident compensation claims and refund of fare disposed off by the Railway Claims Tribunal (RCT) alongwith amount of compensation paid during each of the last three years;

(b) the number of compensation claims pending before the RCT till date;

(c) the time since when these cases are pending and the reasons for delay in disposing off these cases;

(d) the average time taken in disposal of such cases; and

(e) the measures taken by the Railways for speedy disposal of pending compensation claims and the time by which these cases are likely to be disposed off?

Answer

MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI R. VELU)

(a) to (e) : A statement is attached.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF UNSTARRED QUESTION NO.383 BY SHRI GIRDHARI LAL BHARGAVA & SHRIMATI KIRAN MAHESHWARI, TO BE ANSWERED IN LOK SABHA ON 01.03.2007 REGARDING PENDING COMPENSATION CLAIMS BEFORE RCT.

(a) The details of disposal of claims cases:-

Accident claims compensation case Refund of fare cases u/s 124 A of Railway Act, 1989.

Year	No. of cases Decreed	Amt. (Rs.)	No. of cases Decreed	Amt. (Rs.)
2003-04	438	5,58,91,500	9	34,451
2004-05	373	4,31,41,538	5	3,574
2005-06	175	4,51,82,850	2	400
2006-07 (Upto 31.12.06)	238	3,09,23,259	2	3568

(b) 274 number of Accident Compensation Claims cases and 2 number of Refund of Fare cases are pending as on 1.1.2007.

(c) Agewise pendency of Train Accident cases as on 1.1.2007.

Less than one year	One year old	Two year old old	Three year old	Four year old & above	Five year 5 Years	Total
113	70	36	46	6	2	274

Agewise pendency of Refund of Fare cases as on 1.1.2007.

Less than one year old	One year old & less than 5 Years	Two year old	Three year old	Four year old	Five year & above	Total
1	1	0	0	0	0	2

(d) The details of average time taken in disposal of cases:-

Year	Accident Claims Compensation cases	Refund of Fare Cases.
2003-04	417 days	669 days
2004-05	761 days	826 days
2005-06	447 days	515 days
2006-07	279 days	171 days

(Upto.31.12.06)

(e)(1)RCT (Procedure) Rules have been amended as under for expeditious disposal of cases:-

(a) An application for accident compensation cases can be filed before the Bench having territorial jurisdiction over the place from which the passenger purchases ticket/obtains his pass, or where the accident or untoward incident occurs or where the place of destination station lies or where the claimant normally resides.

(b) RCT to pronounce an order within 21 days after the date of final hearing.

(c) Earlier the affidavits were attested by Notary Public. For the convenience of claimants, the Registrars of RCT have also been empowered to attest the same.

(2) Chairman Railway Claims Tribunal is empowered to depute a Member of one Bench to the other Bench for holding Circuit Bench to clear the backlog in case of vacancy in that Bench.

(3) Following administrative measures are also taken:

(i) an Accident cell is set up at each Zonal Head quarter to provide assistance for filing accident compensation claim and monitor them till the satisfaction of decree in the Railway Claims Tribunal.

(ii) After the decree has been passed in accident cases, Railways have to ensure that cheques are issued and dispatched within period of 15 days.

No time frame can be prescribed for disposal of cases as the Railway Claims Tribunal is a quasi-judicial body. However, Chairman/ RCT is requested from time to time to arrange Circuit Benches to clear the backlog in case of vacancy of a Member at a particular Bench Reasons for delay:-

(i) Adjournment sought by the Applicant/their Counsel for producing evident etc.

(ii) Transfer of claims cases from one Railway Claims Tribunal (RCT) Bench to the other, sought by the claimants.

(iii) Non-availability of heirship title with the claimants.